

REMARKS

Claims 43-50, 53, and 54 remain pending in this application, with Claims 43, 44, 53 and 54 being independent. Claim 51, 52, and 55 have been canceled without prejudice or disclaimer of the subject matter.

At page 2 of the Office Action the disclosure was objected to because the current status of the parent application, Application No. 09/413,774, should be included. Applicants have amended the disclosure to reflect the current status of the parent application. Accordingly, withdrawal of the objection to the disclosure is respectfully requested.

Applicants note with appreciation the allowance of Claims 43-50, 53, and 54.


Claim 51 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,690,530 (*Jin et al.*). Claims 51, 52, and 55 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,403,209 (*Barton et al.*).

Cancellation of Claims 51, 52, and 55 renders the rejections of those claims moot. The cancellation is made without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance and to expedite issuance. In particular, it is Applicants' current intention to file a divisional application, to pursue the subject matter of the rejected claims.

In view of the foregoing amendments and remarks, all of the pending claims having been allowed, Applicants respectfully request early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Frank A. DeLucia  
Attorney for Applicants  
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MADN 515883v1